

Amendment Under 37 C.F.R. § 1.116
USSN 09/611,230
Attorney Docket Q59991
December 10, 2003

REMARKS

Claims 12-22 are all the claims pending in the application.

In the last Office Action the drawings were objected to on the grounds that they failed to show every feature of the invention specified in the claims. It was stated in the Office Action that the presence of both solenoid valve units and pneumatic brake actuators for controlling the solenoid valve units must be shown or the features cancelled from the claims. In the first place the pneumatic brake actuators are not for controlling the solenoid valve units but are the elements which are controlled by the solenoid valve units. The element of the drawings indicated by the numeral 11 is clearly identified in the specific as a solenoid valve unit which controls the pneumatic brake actuators 12. Both of these elements are clearly shown in the drawings as separate elements. The language on page 5 of the specification clearly states that the control unit 9 of each carriage or wagon 3 is also connected to electro-pneumatic actuator devices 11 such as, for example, solenoid valve assemblies, which control the supply and discharge of compressed air to brake cylinders 12 associated with the carriage. If the terminology in the claim which refers to brake actuators is confusing Claim 12 has been amended to change "brake actuators" to --brake cylinders-- to be consistent with the specification.

In view of the foregoing explanation and amendment it is submitted that the drawings clearly show every feature of invention specified in the claims. Reconsideration and withdrawal of the objection to the drawings are respectfully requested.

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In the last Office Action Claims 17-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 17 has been amended to identify the transmission lines as “first or second”. Subsequent referral to the transmission lines uses this terminology so that there is clear antecedent basis with respect to the transmission lines in the claim. It is therefore submitted that Claim 17 as well as Claims 18 and 19 are now in full compliance with the requirements of 35 U.S.C. § 112.

In the last Office Action Claim 12 was rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 1 of U.S. Patent 6,546,318 to Barberis et al. in view of U.S. Patent 5,835,845 to Niki et al. A Terminal Disclaimer is submitted herewith thereby overcoming the rejection. Therefore it is respectfully requested that this rejection be withdrawn.

In the last Office Action Claims 12-16 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Engle et al. in view of Fujioka et al. Claims 17-20 and 22 were rejected as being unpatentable over Engle et al. in view of Fujioka and further in view of various additional references. Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

It is submitted that the basic combination of the Engle et al. patent with the Fujioka et al. patent is flawed since the system of Engle et al. would not have need for the teachings of Fujioka et al. While the patent to Engle uses the terms “master unit” and “slave units” in an entirely different context than the main control unit and the slave control units as called for in Claim 12

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of the present application. Furthermore, the braking as described in the Engle patent is so entirely different from that of the Fujioka patent that the picking of a single feature from Fujioka and transplanting it into the system of Engle would not be the least bit obvious to one skilled in the art. The shortcomings with respect to the basic combination of references as applied to Claim 12-16 and 21 would also apply to the rejection of the remaining claims which rely on additional references. Therefore, it is submitted that Claims 12-22 inclusive would not be obvious to one skilled in the art in view of the teachings of the combined references and therefore it is respectfully requested that Claims 12-22 inclusive be allowed and the application passed to issue forthwith.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

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Respectfully submitted,



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